



**Service of Process  
Transmittal**

06/23/2021

CT Log Number 539785748

**TO:** Sharon Webb  
The Clayton Companies  
5000 Clayton Rd  
Maryville, TN 37804-5550

**RE: Process Served in Mississippi**

**FOR:** CMH HOMES, INC. (Domestic State: TN)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Ashley M. Woodruff, Pltf. vs. CMH HOMES, INC., Dft.

**DOCUMENT(S) SERVED:** --

**COURT/AGENCY:** None Specified  
Case # 55CI121CV73PH

**NATURE OF ACTION:** Personal Injury - Failure to Maintain Premises in a Safe Condition

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Flowood, MS

**DATE AND HOUR OF SERVICE:** By Process Server on 06/23/2021 at 15:59

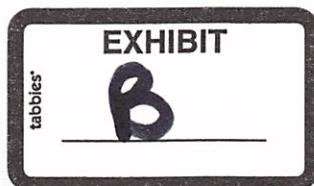
**JURISDICTION SERVED :** Mississippi

**APPEARANCE OR ANSWER DUE:** None Specified

**ATTORNEY(S) / SENDER(S):** None Specified

**ACTION ITEMS:** SOP Papers with Transmittal, via UPS Next Day Air , 1ZX212780137206391  
Image SOP  
Email Notification, Sharon Webb sharon.webb@claytonhomes.com  
Email Notification, Bryan Powell bryan.powell@claytonhomes.com  
Email Notification, Audra Norwood audra.norwood@claytonhomes.com  
Email Notification, Todd Maynard todd.maynard@claytonhomes.com  
Email Notification, Cindi Day cindi.day@claytonhomes.com  
Email Notification, Jon Beling jon.beling@claytonhomes.com  
Email Notification, Heather Demyan heather.demyan@claytonhomes.com

**REGISTERED AGENT ADDRESS:** C T Corporation System  
645 Lakeland East Drive  
Suite 101  
Flowood, MS 39232  
866-665-5799  
SouthTeam2@wolterskluwer.com





**Service of Process  
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5000 Clayton Rd  
Maryville, TN 37804-5550

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**FOR:** CMH HOMES, INC. (Domestic State: TN)

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

IN THE CIRCUIT COURT OF PEARL RIVER COUNTY, MISSISSIPPI

ASHLEY M. WOODRUFF

PLAINTIFF

VS.

CAUSE NO.: SSCI 1:21-cv-73-PH

CMH HOMES, INC.

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI

TO: CMH Homes, Inc.  
CT Corporation System, Registered Agent of Process  
645 Lakeland East Dr., Ste 101  
Flowood, MS 39232

NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Scott Bishop, Esquire, the attorney for the plaintiff, whose address is 1712 15<sup>th</sup> Street, Suite 300, Gulfport, MS 39501.

Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 26<sup>th</sup> day of May, 2021.

CLERK OF PEARL RIVER COUNTY Nance Fitzpatrick Stokes  
Pearl River County Circuit Clerk

BY: Wendy Babin D.C.



**IN THE CIRCUIT COURT OF PEARL RIVER COUNTY, MISSISSIPPI**

**ASHLEY M. WOODRUFF**

**PLAINTIFF**

**VS.**

**FILED**  
NANCE FITZPATRICK STOKES  
CIRCUIT CLERK

**CAUSE NO.: SSCI 1:21-CV-73-PH**

**CMH HOMES, INC.**

**MAY 26 2021**

**DEFENDANT**

BY: W. Babin  
DEPUTY CLERK  
**COMPLAINT**

NOW INTO COURT, through undersigned counsel, come the Plaintiff,  
ASHLEY M. WOODRUFF who files this Complaint against the Defendant, CMH  
HOMES, INC., and show this honorable court that:

**I.**

The Plaintiff, Ashley M. Woodruff, is a person of majority and domiciled in  
the County of Pearl River, State of Mississippi.

**II.**

Defendant, CMH Homes, Inc., is a foreign corporation licensed to, and doing  
business in Mississippi, who may be served pursuant to the Mississippi Rules of  
Civil Procedure via its registered agent for service of process, CT Corporation, 945  
Lakeland East Dr., Ste. 101, Flowood, MS 3232.

**III.**

This cause of action occurred or accrued in the Pearl River County,  
Mississippi; and pursuant to the provisions Miss. Code Ann. §11-11-3, as amended,  
venue is proper in this Court.

**IV.**

That on or about April 23, 2019, Plaintiff, along with her husband signed a  
“sales agreement” (Attached as “Exhibit 1” to Complaint) for the purchase and  
possession of a mobile home from the Defendant, CMH Homes, Inc.

V.

That pursuant to said "sales agreement," the mobile home was to be "deliver(ed), set-up, leveled and anchored, install(ed) A/C, steps, and trim out."

VI.

That on the day of delivery, the home was set up, but the front steps were not properly installed, instead resulting in a gap of over 2 feet between the top of the steps and the bottom threshold of the door.

VII.

That rear steps were not attached to the home at all.

VIII.

That a short time later, after the home was delivered to her, Plaintiff was attempting to enter the home and tripped and fell on the step up from the step into the home.

IX.

That CMH Homes, Inc. caused the negligent installation of the steps and/or had notice of the negligent installation of the steps.

X.

The aforesaid incident sued on herein was the fault of, and proximately caused by the negligence of Defendant, CMH Homes, Inc., in the following, non-exclusive respects:

- a. In negligently installing the front steps, thus creating a dangerous condition;
- b. In failing to remedy the dangerous condition in a timely manner;
- c. In violating industry standards and building codes;
- d. In violating the Revised Statutes of the State of Mississippi, all of

which are pled as if copied herein extenso; and

- e. All other acts of negligence which were the cause of the collision sued upon and will be shown at the trial of this matter.

XI.

That as a result of the aforesaid fall, Plaintiff, Ashley M. Woodruff has sustained bodily injuries, including but not limited to her right knee.

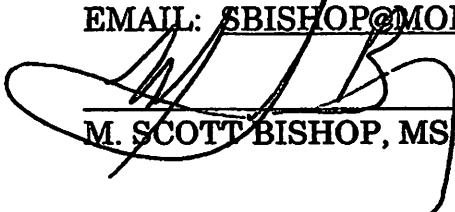
XII.

As a result thereto, Plaintiff, Ashley M. Woodruff has suffered the following damages: bills for medical treatment, past and future; loss of wages and/or earning capacity, past and future; physical pain and suffering including loss of enjoyment of life, past and future; and mental and emotional distress, past and future.

**WHEREFORE**, your Plaintiff, Ashley M. Woodruff, prays that CMH Homes, Inc. be served with a copy of this Complaint, and after being duly cited to appear and answer hereto, and after the expiration of all legal delays and due proceedings are had, that there be judgment rendered herein in favor of Plaintiff, Ashley M. Woodruff and against Defendant, CMH Homes, Inc., as alleged, together with legal interest, and for all costs of these proceedings including expert witness fees to be taxed as costs of court, and for all legal and equitable relief this honorable court shall deem appropriate.

**RESPECTFULLY SUBMITTED**, this the 24 day of May, 2021.

MORRIS BART, LTD  
1712 15<sup>TH</sup> STREET, SUITE 300  
GULFPORT, MISSISSIPPI 39501  
TEL: (228) 276-0307  
FAX: (866) 354-9707  
EMAIL: [SBISHOP@MORRISBART.COM](mailto:SBISHOP@MORRISBART.COM)

  
M. SCOTT BISHOP, MS BAR NO. 102699

DocuSign Envelope ID: 9FBE5C0F-C248-4361-A1A2-777384B6D641

1331545

**SALES AGREEMENT**DATE: 4/23/2019BUYER(S): Ashley Moore Woodruff  
Winfield Gregory WoodruffADDRESS: 612 E MAGEE ST COVINGTON LA 70433DELIVERY ADDRESS: 36 WOLF RIDGE LANE POPLARVILLE MS 39470TELEPHONE: \_\_\_\_\_ SALES PERSON FULL NAME: Gayla Harrington

BASE PRICE: \_\_\_\_\_

State Tax: \_\_\_\_\_

Local Tax: \_\_\_\_\_

**1. CASH PRICE**

LAND PURCHASE \_\_\_\_\_

TITLE FEES \_\_\_\_\_

FILING FEES \_\_\_\_\_

Federal Warranty Service Corporation \_\_\_\_\_

**2. TOTAL PACKAGE PRICE**Trade Allowance N/ALess Amount Owed N/ATrade Equity N/ACash Down Payment \$00**3. LESS ALL CREDITS**\$00**4. REMAINING BALANCE**Make: CMHModel: 37VLV32664AH19Stock#: RSOSerial No.: CS2024486TNABNew ☒ Used ☐TRADE: Make: N/A Model: N/AYear: N/A Length: N/A Width: N/A Title #: \_\_\_\_\_

Serial No.: \_\_\_\_\_

Amount owed will be paid by: ☐ Buyer ☐ Seller

Owed to: \_\_\_\_\_

**OPTIONS:****SELLER RESPONSIBILITIES:** delivery, set-up, level and anchor, install AC, steps and trim out**BUYER RESPONSIBILITIES:** Provide clear access to the house site, all zoning, permits, fees and deposits, power pole and meter loop, water and sewer sources dirt pad, skirting and standard connections for electric, sewer, and water

May not meet local codes and standards. New homes meet Federal Manufactured Home Standards.

Buyer(s) agree: (1) that the terms and conditions on page two are part of this agreement; (2) to purchase the above home including the options; (3) that they acknowledge receiving a completed copy of this agreement; (4) that all promises and representations made are listed on this agreement; and (5) that there are no other agreements, written or verbal, unless evidenced in writing and signed by the parties.

**SELLER:**DAVID HARRINGTON4/23/2019

CLAYTON HOMES COVINGTON, LA

**BUYER:**Ashley Moore Woodruff4/23/2019

Signature of: Ashley Moore Woodruff

Winfield Gregory Woodruff4/23/2019

Signature of: Winfield Gregory Woodruff

Signature of: \_\_\_\_\_

Signature of: \_\_\_\_\_



**IN THE CIRCUIT COURT OF PEARL RIVER COUNTY, MISSISSIPPI**

**ASHLEY M. WOODRUFF**

**PLAINTIFF**

**VS.**

**CAUSE NO.: 55CI1: 21-cv-73-PH**

**CMH HOMES, INC.**

**DEFENDANT**

**PLAINTIFF'S COMBINED INTERROGATORIES AND REQUEST FOR  
PRODUCTION OF DOCUMENTS PROPOUNDED TO DEFENDANT, CMH  
HOMES, INC.**

COMES NOW Plaintiff, Ashley M. Woodruff, by and through counsel, and propounds the following Interrogatories and Requests for Production of Documents to the defendant, CMH Homes, Inc., to answer the following interrogatories, separately, fully, under oath and in writing, within thirty (30) days after receipt thereof, pursuant to the provisions of the Mississippi Rules of Civil Procedure. It is requested that the answers to these Interrogatories be signed by the person making them and that the signature be notarized by an authorized officer.

Each interrogatory is deemed to be continuing and should be supplemented in the event additional information becomes known to you as per all Mississippi Law applicable hereto.

**DEFINITIONS**

Identify or identity, as used in these interrogatories *with reference to a person or individual*, requests that the answer provide the name, present address, age, telephone number, occupation, and place of employment, of any and all persons to be identified.

Identify or identity, *when used with reference to a document* means to state the type of document (e.g. lease, memoranda, log, diary, record, contract, agreement, telegram, telex, letter, note, chart, map, etc.) or some other means of identifying it, its location and custodian, the date thereon, the identity of any party or parties whose name or names appear thereon, or in lieu thereof, attach a copy of each such document.

Describe, as used in these interrogatories, requests that the response explain, in complete detail, the event or thing inquired about, utilizing any and all information available at the time of response.

State, as used in these interrogatories, requests that the answer be either in the affirmative, or the negative.

You or your means CMH Homes, Inc. and all representatives, attorneys, or other parties acting on behalf of CMH Homes, Inc..

Document or documentary, means any written, recorded or graphic matter however produced or preserved.

Incident refers to the incident described in the Complaint forming the basis for the above-captioned petition.

**INTERROGATORY NO. 1:**

State the following with regard to any and all policies of insurance (both primary and excess) which were in full force and effect at the time of the incident sued upon herein, purporting to insure you against the risks and liabilities asserted by Plaintiff herein:

- a. the name of the insurance company or companies issuing said policy or policies;
- b. the limits of coverage of each such policy or policies;
- c. the effective dates of such policies;
- d. the nature of any exclusions which may be relevant to this incident; and
- e. all policy numbers.

**INTERROGATORY NO. 2:**

Please identify the persons, employees, and/or agents who were responsible for the delivery, set-up, level and anchoring, installation of the A/C, installation of the steps, and the “trim out” of the mobile home that is the subject of this lawsuit, and state whether or not they were acting in the course and scope of your employment or agency at the time of these actions.

**INTERROGATORY NO. 3:**

Please describe the steps that were installed at the mobile home that is the subject of this lawsuit. Your answer should include, but not be limited to what they are made of, their dimensions, how they are constructed, etc.

**INTERROGATORY NO. 4:**

Please identify the building codes (both local, national, and international) that governed the construction and installation of steps at the mobile home that is the subject of this lawsuit.

**INTERROGATORY NO. 5:**

Please describe when you were first made aware of the deficiency of the steps as described in the lawsuit.

**INTERROGATORY NO. 6:**

Please identify the moment when a mobile home is generally tendered to the buyer for their acceptance (for example, is this accomplished when the home is delivered, when the keys are accepted, etc.? Or does the buyer sign a document accepting the home? Or something else?).

**INTERROGATORY NO. 7:**

Please describe in detail what the persons, employees, and/or agents listed in Interrogatory Number Two (2) told you about the delivery, set-up, level and anchoring, installation of the A/C, installation of the steps, and the “trim out” of the mobile home that is the subject of this lawsuit.

**INTERROGATORY NO. 8:**

When did you first hire and/or contract with the persons, employees, and/or agents listed in Interrogatory Number Two (2) for the delivery, set-up, level and anchoring, installation of the A/C, installation of the steps, and the “trim out” of mobile homes.

**INTERROGATORY NO. 9:**

Please identify all witnesses to the delivery, set-up, level and anchoring, installation of the A/C, installation of the steps, and the “trim out” of the mobile home that is the subject of this lawsuit, all persons known to you who were present at the scene of the delivery, set-up, level and anchoring, installation of the A/C, installation of the steps, and the “trim out” of the mobile home that is the subject of this lawsuit, and all other persons whom you may reasonably expect to call as a witness at the trial of this matter, and provide a brief summary of their expected testimony.

**INTERROGATORY NO. 10:**

Please identify all persons having knowledge of facts pertaining to the Plaintiff's incident, medical condition, claims and/or damages, and provide a brief summary of their expected testimony.

**INTERROGATORY NO. 11:**

With reference to any and all investigations conducted by you or anyone on your behalf concerning the collision made the basis of this suit, please state:

- a. the identity of each person making said investigation or participating in any way therein;
- b. the date and place of each investigation or portion thereof;
- c. whether any reports of any such investigation(s) were prepared;
- d. describe each such report, including the date of the report, and the identity of the

person(s) preparing and/or signing same;

- e. the identity of all persons contacted by you or your investigator concerning any matter related to Plaintiff and/or this litigation.

**INTERROGATORY NO. 12:**

Please identify and describe any and all collision reports concerning the collision in question, regardless of whether you are in possession of said reports. Please also identify each known custodian of each known copy of each report.

**INTERROGATORY NO. 13:**

Have you or anyone acting on your behalf taken any statements, whether recorded, typed, written or oral, from any persons having knowledge of facts involved in this suit? If so, identify each and every person interviewed, the date of each interview, the identity of the person(s) conducting the interview, whether the statement was recorded, typed, written or oral, and the present custodian of each recording and transcription of said statements.

**INTERROGATORY NO. 14:**

Do you have any photos, videos, or any other documentary evidence depicting the incident scene, steps, Plaintiff(s), or any other matter relevant to this suit? If so, please state the number of photos, the length of the videos, the type and character of any other documentary evidence, a general description of the contents of all such documentary evidence, the identity of the photographer, the date such documentary evidence was taken or recorded, and the identity of the present custodian of the negatives, originals, prints and all copies of such documentary evidence.

**INTERROGATORY NO. 15:**

Please identify and describe any and all repairs or alterations made to the mobile home that is the subject of this litigation, including but not limited to repairs or alterations of the steps.

**INTERROGATORY NO. 16:**

If you contend that any or all of Plaintiff's alleged damages were caused other than by the incident sued upon herein, please identify all such facts upon which you rely.

**INTERROGATORY NO. 17:**

Please describe any and all surveillance conducted by you or anyone on your behalf or at your direction or by anyone regarding this matter, including but not limited to any surveillance of the Plaintiff, or anyone related to the Plaintiff, and identify when such activities took place, by whom they were conducted, and whether or not any reports, photographs, notes, or other documents exist concerning said surveillance activities.

**INTERROGATORY NO. 18:**

Have you conducted any "Index Bureau" inquiries or any other such background checks concerning Plaintiff. If so, please state whether or not you are in possession of a report concerning same.

**INTERROGATORY NO. 19:**

As to each expert whom you have previously listed or for whom you expect to call as a witness at trial, please state as to each:

- a. His/her name, address and anticipated field of expertise for which you will tender him/her;
- b. The subject matter on which he/she is expected to testify;
- c. The substance of facts and opinions to which the expert is expected to testify;
- d. A summary of the grounds for each such opinion; and
- e. A detailed statement of his/her qualifications, expertise, educational

history, testimonial history, and any of his/her articles, publications, presentations or papers.

**INTERROGATORY NO. 20:**

Please identify any and all documents and things which you might reasonably attempt to use, reference or introduce into evidence at the trial of this matter.

**REQUESTS FOR PRODUCTION:**

**REQUEST NO. 1:**

Please produce a *certified* copy of each and every policy of liability insurance, both primary and excess, which were in full force and effect at the time of the collision sued upon, which purportedly provides you with coverage against the claims and liabilities asserted by Plaintiff herein.

**REQUEST NO. 2:**

If you contend that Plaintiff or any other person acted in such a manner as to cause or contribute to Plaintiff's incident, please produce all documents supporting your contention.

**REQUEST NO. 3:**

Please produce a copy of any and all investigative reports prepared in connection with the incident in question.

**REQUEST NO. 4:**

Please produce a copy of any and all statements in your possession taken from persons having knowledge of facts pertaining to the incident in question. If such statements have been recorded, please produce a copy of each such recording. Additionally, if such statements have been transcribed, please produce a copy of each transcription.

**REQUEST NO. 5:**

Please produce a copy of any and all statements in your possession taken from persons having knowledge of facts pertaining to the delivery, set-up, level and anchoring, installation of the A/C, installation of the steps, and the “trim out” of the mobile home that is the subject of this lawsuit. If such statements have been recorded, please produce a copy of each such recording. Additionally, if such statements have been transcribed, please produce a copy of each transcription.

**REQUEST NO. 6:**

Please produce a copy of any and all documents pertaining to “Index Bureau” inquiries regarding Plaintiff.

**REQUEST NO. 7:**

Please produce a copy of any and all surveillance photos, films, reports, records, notes and videos concerning Plaintiff.

**REQUEST NO. 8:**

Please produce a copy of any and all photos, videos, and other such documentary evidence depicting Plaintiff, the scene of the incident, or any other matter relevant to this litigation.

**REQUEST NO. 9:**

If you contend that Plaintiff's damages were caused by something other than the incident in question, please produce a copy of any and all documents and things which support your contention.

**REQUEST NO. 10:**

Please produce a copy of any and all documents in your possession or control purporting to bear Plaintiff's signature.

**REQUEST NO. 11:**

Please produce a copy of any documents referencing any and all subsequent repairs or alterations of the mobile home that is the subject of this litigation, including, but not limited to the steps.

**REQUEST NO. 12:**

Please produce a copy of any and all medical reports, records, bills, x-rays and notes concerning Plaintiff other than those provided to you by Plaintiff's counsel or other documents reflecting Plaintiff's medical history, condition, complaints of pain or other symptoms, before or after the subject incident.

**REQUEST NO. 13:**

Please produce a copy of any and all documents which you obtained through the use of any authorizations signed by the Plaintiff, including a copy of any and all documents and correspondence directed to third parties requesting the release of documents through the use of said authorizations.

**REQUEST NO. 14:**

Please produce a copy of any and all documents which you obtain through the use of any subpoena issued in this matter.

**REQUEST NO. 15:**

Please produce for inspection and copying any and all documents and things which you might reasonably attempt to introduce into evidence at the trial of this matter.

**REQUEST NO. 16:**

All statements, or documents, which purport to be an admission against interest, of any Plaintiff or any Defendant involved in this action.

**REQUEST NO. 17:**

Please produce documentation identifying the persons, employees, and/or agents who were responsible for the delivery, set-up, level and anchoring, installation of the A/C, installation of the steps, and the “trim out” of the mobile home that is the subject of this lawsuit.

**REQUEST NO. 18:**

If those identified in Request Number 17 above are not employees, please produce documentation of any agreement between you and those individuals or company / agency employing those individuals.

**REQUEST NO. 19:**

Please produce documentation showing what is specifically required of the persons, employees, and/or agents who were responsible for the delivery, set-up, level and anchoring, installation of the A/C, installation of the steps, and the “trim out” of the mobile home that is the subject of this lawsuit.

**REQUEST NO. 20:**

Please produce documentation evidencing any building codes (both local, national, and international) that governed the construction and installation of steps at the mobile home that is the subject of this lawsuit.

**RESPECTFULLY SUBMITTED**, this 17 day of June, 2021.

MORRIS BART, LTD  
ATTORNEYS FOR PLAINTIFF  
1712 15<sup>TH</sup> STREET, SUITE 300  
GULFPORT, MISSISSIPPI 39501  
TELEPHONE: (228) 276-0307  
FACSIMILE: (866) 354-9707  
E-MAIL: [sbishop@morrisbart.com](mailto:sbishop@morrisbart.com)

BY: 

M. SCOTT BISHOP, MS BAR #102699